

**AMENDMENTS TO THE CLAIMS**

1. (Original) An isolated nucleic acid molecule comprising a nucleotide sequence selected from the group consisting of:

- (a) the nucleotide sequence set forth in SEQ ID NO: 2;
- (b) a nucleotide sequence encoding the polypeptide set forth in SEQ ID NO: 1;
- (c) a nucleotide sequence which hybridizes under moderately or highly stringent conditions to the complement of (a) or (b), wherein the encoded polypeptide, when heterodimerized to human  $\alpha 2$  polypeptide, has an activity of the human  $\alpha 2/\beta 10$  heterodimer; and
- (d) a nucleotide sequence complementary to any of (a)-(c).

2. (Currently Amended) An isolated nucleic acid molecule comprising a nucleotide sequence selected from the group consisting of:

- (a) a nucleotide sequence encoding a polypeptide that is at least about 70, 75, 80, 85, 90, 95, 96, 97, 98, or 99 percent identical to the polypeptide set forth in SEQ ID NO: 1, wherein the polypeptide, when heterodimerized to human  $\alpha 2$  polypeptide, has an activity of the human  $\alpha 2/\beta 10$  heterodimer;
- (b) a nucleotide sequence encoding an allelic variant or splice variant of the nucleotide sequence set forth in SEQ ID NO: 2, wherein the encoded polypeptide, when heterodimerized to human  $\alpha 2$  polypeptide, has an activity of the human  $\alpha 2/\beta 10$  heterodimer;
- (c) a nucleotide sequence of SEQ ID NO: 2, (a), or (b) encoding a polypeptide fragment of at least about 25 amino acid residues, wherein the polypeptide, when heterodimerized to human  $\alpha 2$  polypeptide, has an activity of the human  $\alpha 2/\beta 10$  heterodimer;
- (d) a nucleotide sequence of SEQ ID NO: 2 or (a)-(c) comprising a fragment of at least about 16 nucleotides thereof;
- (e) a nucleotide sequence which hybridizes under moderately or highly stringent conditions to the complement of any of (a)-(d), wherein the encoded polypeptide, when heterodimerized to human  $\alpha 2$  polypeptide, has an activity of the human  $\alpha 2/\beta 10$  heterodimer; and
- (f) a nucleotide sequence complementary to any of (a)-(c).

3. (Currently Amended) An isolated nucleic acid molecule comprising a nucleotide sequence selected from the group consisting of:

(a) a nucleotide sequence encoding a polypeptide as set forth in SEQ ID NO: 1 with at least one conservative amino acid substitution, wherein the polypeptide, when heterodimerized to human  $\alpha 2$  polypeptide, has an activity of the human  $\alpha 2/\beta 10$  heterodimer;

(b) a nucleotide sequence encoding a polypeptide as set forth in SEQ ID NO: 1 with at least one amino acid insertion, wherein the polypeptide, when heterodimerized to human  $\alpha 2$  polypeptide, has an activity of the human  $\alpha 2/\beta 10$  heterodimer;

(c) a nucleotide sequence encoding a polypeptide as set forth in SEQ ID NO: 1 with at least one amino acid deletion, wherein the polypeptide, when heterodimerized to human  $\alpha 2$  polypeptide, has an activity of the human  $\alpha 2/\beta 10$  heterodimer;

(d) a nucleotide sequence encoding a polypeptide as set forth in SEQ ID NO: 1 which has a C- and/or N- terminal truncation, wherein the polypeptide, when heterodimerized to human  $\alpha 2$  polypeptide, has an activity of the human  $\alpha 2/\beta 10$  heterodimer;

(e) a nucleotide sequence encoding a polypeptide as set forth in SEQ ID NO: 1 with at least one modification selected from the group consisting of amino acid substitutions, amino acid insertions, amino acid deletions, C-terminal truncation, and N-terminal truncation, wherein the polypeptide, when heterodimerized to human  $\alpha 2$  polypeptide, has an activity of the human  $\alpha 2/\beta 10$  heterodimer;

(f) a nucleotide sequence of (a)-(e) comprising a fragment of at least about 16 nucleotides thereof, wherein said fragment, when heterodimerized to human  $\alpha 2$  polypeptide, has an activity of the human  $\alpha 2/\beta 10$  heterodimer;

(g) a nucleotide sequence which hybridizes under moderately or highly stringent conditions to the complement of any of (a)-(f), wherein the encoded polypeptide, when heterodimerized to human  $\alpha 2$  polypeptide, has an activity of the human  $\alpha 2/\beta 10$  heterodimer; and

(h) a nucleotide sequence complementary to any of (a)-(e).

4. (Original) A vector comprising the nucleic acid molecule of Claims 1, 2, or 3.

5. (Original) A host cell comprising the vector of Claim 4.
6. (Original) The host cell of Claim 5 that is a eukaryotic cell.
7. (Original) The host cell of Claim 5 that is a prokaryotic cell.
8. (Currently Amended) A process of producing a  $\beta$ 10 polypeptide comprising culturing the host cell of Claim 5 under suitable conditions to express the polypeptide, and optionally isolating the polypeptide from the culture.
9. (Canceled)
10. (Previously Presented) The process of Claim 8, wherein the nucleic acid molecule comprises promoter DNA other than the native promoter DNA for the  $\beta$ 10 polypeptide operatively linked to the DNA encoding the  $\beta$ 10 polypeptide.
11. (Original) The isolated nucleic acid molecule according to Claim 2 wherein the percent identity is determined using a computer program selected from the group consisting of GAP, BLASTP, BLASTN, FASTA, BLASTA, BLASTX, BestFit, and the Smith-Waterman algorithm.
- Claims 12 - 46. (Canceled)
47. (Original) A composition comprising a nucleic acid molecule of Claims 1, 2, or 3 and a pharmaceutically acceptable formulation agent.
48. (Original) A composition of Claim 47 wherein said nucleic acid molecule is contained in a viral vector.
49. (Original) A viral vector comprising a nucleic acid molecule of Claims 1, 2, or 3.

50. (Currently Amended) A fusion polypeptide comprising a polypeptide encoded by ~~a at least one~~ nucleic acid molecule of Claims 1, 2, or 3 fused to a heterologous amino acid sequence.

51. (Original) The fusion polypeptide of Claim 50 wherein the heterologous amino acid sequence is an IgG constant domain or fragment thereof.

Claims 52 - 60. (Canceled)

61. (Original) A vector comprising nucleic acid molecules encoding human  $\beta 10$  polypeptide and human  $\alpha 2$  polypeptide.

Claims 62 - 64. (Canceled)

65. (Original) A process of producing an  $\alpha 2/\beta 10$  heterodimer comprising culturing the host cell of Claim 62 under suitable conditions to express the  $\alpha 2/\beta 10$  heterodimer, and optionally isolating the  $\alpha 2/\beta 10$  heterodimer from the culture.

Claims 66 - 99. (Canceled)